

KEANE & BEANE, P.C.

ONE NORTH BROADWAY
WHITE PLAINS, NEW YORK 10601
(914) 946-4777
telefax (914) 946-6868

FACSIMILE TRANSMISSION

Date: December 16, 2003

TELECOPY TO:**Name:**

Rosalie K. Rusinko, Esq.

Fax No.:

(914) 332-5116

THIS TELECOPY IS FROM: NICHOLAS M. WARD-WILLIS

Client/Matter Names: Magna Metals

Client/Matter Numbers: 1220.04

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ONE NORTH BROADWAY
WHITE PLAINS, NEW YORK 10601
(914) 946-4777
TELEFAX (914) 946-6868
www.kblaw.com

EDWARD F. BEANE
DONNA E. PROSCO*†
DAVID GLASSER
LANCE H. KLEIN°
RONALD A. LONGO
RICHARD L. O'ROURKE
PATRICK J. O'SULLIVAN
LAWRENCE PRAGA
JOEL H. SACHS°
STEVEN A. SCHURKMAN°
JUDSON K. SIEBERT

*ALSO ADMITTED IN CA
**ALSO ADMITTED IN CT
†ALSO ADMITTED IN DC
°ALSO ADMITTED IN FL
°ALSO ADMITTED IN MA
°ALSO ADMITTED IN NJ

THOMAS F. KEANE, JR.
(1932-1991)
STEPHANIE L. BURNS°
ERIC L. GORDON**
MARK D. PELLIS
EDWARD J. PHILLIPS**
JENNIFER M. PORTER**
STEPHANIE M. ROEBUCK°
NANCY TAGLIAFIERRO**
NICHOLAS M. WARD-WILLIS**

OF COUNSEL
JAMES W. BORKOWSKI°
PETER A. BORROKO
JOHN F. BURKHARDT
PETER CARPARELLI
ERIC F. JENSEN**
FRANCES M. PANTALEO

December 16, 2003

VIA FACSIMILE: (914) 332-5116

Rosalie K. Rusinko, Esq.
New York State Department of Environmental Conservation
Division of Environmental Enforcement
200 White Plains Road
Tarrytown, New York 10591-5805

Re: Magna Metals -- Site No. 3-60-003

Dear Rosalie:

This office, on behalf of ISC Properties, Inc. ("ISC"), has made several attempts to obtain Access Agreements from the owners of several single family residences adjacent to the above referenced site, as required by the Supplemental Remedial Investigation Work Plan. The work plan required sampling at six (6) off site locations. Three (3) of these property owners have granted access. Despite numerous phone conversations and correspondence we have not received signed Access Agreements from:

- 1) Drs. Krismamurthy, 8 Cross Road, Peekskill, New York 10566
- 2) Mr. Anthony Matra, 1133 Pleasantville Road, Briarcliff Manor, NY 10510 (concerning 14 Thrush Way, Peekskill, NY 10566); and
- 3) ^{Dr.} Mr. Daniel Solomon, 5 Cross Road, Peekskill, NY 10566 914 734-9368

Without the permission of these property owners, ISC is unable to complete the Supplemental Remedial Investigation Work Plan. Accordingly, we are notifying your office of the steps we have taken and requesting that NYSDEC take the appropriate action necessary to obtain access to these properties as per ECL §27-1309.


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Rosalie K. Rusinko, Esq.
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Thank you for your attention and courtesies with respect to this matter.

Very truly yours,


Nicholas M. Ward-Willis

NMW/mc (914) 682-8180
cc: Walter Rich, Esq. (Attorney for Mr. Matra)
Edward Wactlar, Esq.
Daniel Soloman
Mark Sielski

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